

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Armin Sjoerd Eijsackers, et al.

Examiner:

Serial No.:

10/565946

**Group Art Unit:** 

-- Filed:

January 26, 2006

Docket No.:

00601.0454-US-WO

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Title:

PACKAGE WITH PARTLY FOAMABLE LIQUID BY MEANS OF WHICH

A REFRESHMENT CAN BE PREPARED

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper(s), as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Mary Johnston

Name

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Return postcard

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC

Customer No., 22865

Date: 21 February 2006

By: " ///"

Michael B. Lasky

Reg. No. 29,555

MBL/mej

erial No.10/565946

PATENT

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Mary Johnston

Name

# **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R.§1.97(b)**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully submit the items of information on the enclosed Form 1449 for the attention of the Examiner in the above-identified application.

This Information Disclosure Statement is being filed within three months of the filing of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d); within three months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application; before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. 1.114. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of each document or other information listed on the enclosed Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2) and/or a copy of each document is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in a parent application in accordance with 37 C.F.R. §.1.98(d).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103. In addition, Applicant(s) do(es) not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended, and reserve the right to establish otherwise under 37 C.F.R. §1.131 or others.

Consideration of the items listed is respectfully requested. According to M.P.E.P. §609, Applicant(s) request(s) that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

#### DISCUSSION

According to MPEP § 609 A (3), pages 600-122, "Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office." Japan references 55-92130 and 62-298433; and German references DE 3838530 A1 and DE 4332387 A1 were cited in the International Search Report for PCT/NL2004/000525. This search report was initially submitted with the patent application filed on January 26, 2006. Therefore, Applicants believe they have fulfilled their obligation to provide an English language version of the German and Japan

references and they are in complete compliance with Patent Office requirements (609 A (3)).

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC Customer, No. 22865

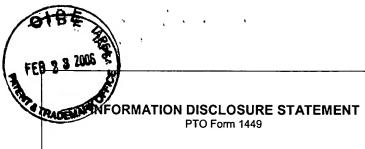
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Date: 21 February 2006

By: // Michael B. Lasky

Reg. No. 29,555

MBL/mej



Serial Number 10/565946 **Docket Number** O0601.0454-US-WO 10/565946

Applicant(s)

Armin Sjoerd Eijsackers, et al.

Filling Date Group Art Unit

January 26, 2006

			U.S. PA	TENT DOCUMENTS				
EXAMINER INITIALS	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING (IF APPRO	DATE OPRIATE)
		1,982,884	12-04-1934	Schroder, et al.				
		5,939,122	08-17-1999	Brady				
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			FOREIGN	PATENT DOCUMENTS	3			
EXAMINER	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS   SUB-CLASS			LATION
INITIALS		DE 3838530 A1	05-17-1990	Cormony			YES	NO
		DE 3030330 AT	05-17-1990	Germany			<u> </u>	X

EXAMINER INITIALS	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
		DE 3838530 A1	05-17-1990	Germany				X
		DE 4332387 A1	03-30-1995	Germany				X
		JP 55-92130	07-12-1980	Japan				X
		JP 62-298433	12-25-1987	Japan				Х
							12	

# OTHER DOCUMENTS

OTHER DOCUMENTS					
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Examiner:	Date Considered: